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09/868,695	09/26/2001	Eren Tolga Rosenfeld	0522200171	3233

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EXAMINER

BELL, MELTIN

ART UNIT	PAPER NUMBER
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2121

DATE MAILED: 01/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/868,695

Applicant(s)

ROSENFELD ET AL.

Examiner

Meltin Bell

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 October 2004.
2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-18 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 03 May 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

This non-final action is responsive to application **09/868,695** filed 09/26/2001 as well as the Information Disclosure Statement (IDS) and Amendment all filed 10/21/04. Claims 1-18 filed by the applicant have been entered and examined. An action on the merits of claims 1-18 appears below.

Priority

Acknowledgment is made of applicant's claim for priority based on application 09/218,945 filed in the United States on **12/22/98**.

Claim Rejections - 35 USC § 103

Applicant's arguments have been fully considered, but are moot in view of new grounds of rejection. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the Office presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under

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37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the Office to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1-6, 8-15 and 17-18 are rejected under 35 U.S.C. 103(a) as being obvious over *Cook et al*/ WO 97/44766 A1 "Agent Based Instruction System and Method" W.I.P.O. International Publication Number (Publication Date November 27, 1997) in view of *Farley et al* USPN 5,257,185 "Interactive, cross-referenced knowledge system" (October 26, 1993).

Regarding claim 1:

Cook et al teaches,

- (a) receiving information indicative of a goal (page 55, lines 16-34, "On-screen Agent area ... the current request"; page 56, Table 1B), the goal being associated with a student in a specific task (page 52, lines 18-37, "An important screen ... display to a student"; page 53, Table 1, Figs. 3-4)
- (b) integrating information that motivates accomplishment of the goal for use in a presentation (page 8, lines 1-15, "it accepts data... appropriate candidate behaviors"; page 8, lines 33-37, "Another important object ... appear as living"; page 9, lines 1-4, "entities, which in ... guides its student")
- (d) evaluating progress toward the goal (page 10, lines 24-31, "A further important... student's pedagogic characteristics") and providing feedback that further

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motivates accomplishment of the goal (page 8, lines 1-15, "it accepts data... appropriate candidate behaviors")

However, *Cook et al* doesn't explicitly teach (c) managing information flow utilizing a table of components, wherein each component encapsulates behavior and data necessary to support a related set of services while *Farley et al* teaches,

- (c) managing information flow (column 25, lines 43-50, "To ensure a ... to the user") utilizing a table (column 29, lines 3-12, "It should be ... of the designer") of components (column 5, lines 38-57, "The Administrative Component ... and maintained therein"), wherein each component encapsulates behavior and data necessary to support a related set of services (column 10, lines 9-31, "FIG. 1A is a ... users, including individuals")

Motivation – The portions of the claimed computer-readable medium would have been a highly desirable feature in this art for supporting the learning, advisory and problem-solving needs of users having a variety of starting skills and learning styles (*Farley et al*, column 3, lines 33-50, "It is thus ... and learning styles"). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made, to modify *Cook et al* as taught by *Farley et al* for the purpose of supporting the learning/advisory/problem-solving needs of users.

Regarding claim 2:

The rejection of claim 2 is similar to that for claim 1 as recited above since the stated limitations of the claim are set forth in the reference. Claim 2's limitations difference is taught in *Cook et al*:

- the step of instantiating a component from the table of components to measure progress toward the goal (page 20, lines 15-28, "Teachers and administrators ... for the teachers")

Regarding claim 3:

The rejection of claim 3 is similar to that for claim 2 as recited above since the stated limitations of the claim are set forth in the reference. Claim 3's limitations difference is taught in *Cook et al*:

- the step of instantiating a component from the table of components to interrupt and interview the student to obtain information to measure progress toward the goal and determine appropriate feedback (page 20, lines 4-12, "the student can...or remediation materials")

Regarding claim 4:

The rejection of claim 4 is similar to that for claim 1 as recited above since the stated limitations of the claim are set forth in the reference. Claim 4's limitations difference is taught in *Cook et al*:

- instantiating a component from the table of components to analyze progress and determine appropriate feedback (page 10, lines 24-31, "A further important... student's pedagogic characteristics"; page 20, lines 15-28, "Teachers and administrators ... for the teachers")

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Regarding claim 5:

The rejection of claim 5 is similar to that for claim 1 as recited above since the stated limitations of the claim are set forth in the reference. Claim 5's limitations difference is taught in *Farley et al*:

- instantiating a component from the table of components to evaluate options and present appropriate feedback to assist the student to achieve the goal (column 28, lines 1-21, "In summary, the .. stored Challenger activity")

Regarding claim 6:

The rejection of claim 6 is similar to that for claim 1 as recited above since the stated limitations of the claim are set forth in the reference. Claim 6's limitations difference is taught in *Cook et al*:

- instantiating a component from the table of components to simulate a business application (page 12, lines 3-10, "An object of...computer-assisted instruction systems"; page 109, Table 3)

Farley et al:

- instantiating a component from the table of components to simulate a business application (column 10, lines 32-39, "The User Component ... solving business problems")

Regarding claim 8:

The rejection of claim 8 is similar to that for claim 1 as recited above since the stated limitations of the claim are set forth in the reference. Claim 8's limitations difference is taught in *Cook et al*:

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- instantiating a component from the table of components to interact with the student utilizing rule-based logic (page 46, lines 8-12, "during access to... caught and rejected")

Regarding claim 9:

The rejection of claim 9 is similar to that for claim 1 as recited above since the stated limitations of the claim are set forth in the reference. Claim 9's limitations difference is taught in *Cook et al*:

- instantiating a component from the table of components to present a time based simulation (page 24, lines 7-25, "The corresponding event... the time elapsed"; page 63, lines 1-16, "the ABI system... of task scheduling"; page 109, Table 3; page 124, lines 2-12, "These named display... to generate displays")

Regarding claim 10:

Cook et al teaches,

- (a) a processor (page 29, lines 19-22, "a preferable student ... or the Internet")
- (b) a memory that stores information under the control of the processor (page 29, lines 15-17, "student client system... a backing store")
- (c) logic that integrates information that motivates accomplishment of the goal for use in the presentation (page 8, lines 1-15, "it accepts data... appropriate candidate behaviors"; page 8, lines 33-37, "Another important object ... appear as living"; page 9, lines 1-4, "entities, which in ... guides its student"), the goal being associated with a student in a specific task (page 52, lines 18-37, "An important screen ... display to a student"; page 53, Table 1, Figs. 3-4)

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- (e) logic that evaluates progress toward the goal (page 10, lines 24-31, "A further important... student's pedagogic characteristics")

However, *Cook et al* doesn't explicitly teach (d) logic that manages information flow utilizing a table of components, wherein each component encapsulates behavior and data necessary to support a related set of services while *Farley et al* teaches

- (d) logic that manages information flow (column 25, lines 43-50, "To ensure a ... to the user") utilizing a table (column 29, lines 3-12, "It should be ... of the designer") of components (column 5, lines 38-57, "The Administrative Component ... and maintained therein"), wherein each component encapsulates behavior and data necessary to support a related set of services (column 10, lines 9-31, "FIG. 1A is a ... users, including individuals")

Motivation – The portions of the claimed apparatus that creates a presentation would have been a highly desirable feature in this art for supporting the learning, advisory and problem-solving needs of users having a variety of starting skills and learning styles (*Farley et al*, column 3, lines 33-50, "It is thus ... and learning styles"). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made, to modify *Cook et al* as taught by *Farley et al* for the purpose of supporting the learning/advisory/problem-solving needs of users.

Regarding claim 11:

The rejection of claim 11 is similar to that for claim 10 as recited above since the stated limitations of the claim are set forth in the reference. Claim 11's limitations difference is taught in *Cook et al*:

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- logic that instantiates a component from the table of components to measure progress toward the goal (page 20, lines 15-28, "Teachers and administrators ... for the teachers")

Regarding claim 12:

The rejection of claim 12 is similar to that for claim 10 as recited above since the stated limitations of the claim are set forth in the reference. Claim 12's limitations difference is taught in *Cook et al*:

- logic that instantiates a component from the table of components to interrupt and interview the student to obtain information to measure progress toward the goal and determine appropriate feedback (page 20, lines 4-12, "the student can...or remediation materials")

Regarding claim 13:

The rejection of claim 13 is similar to that for claim 10 as recited above since the stated limitations of the claim are set forth in the reference. Claim 13's limitations difference is taught in *Cook et al*:

- logic that instantiates a component from the table of components to analyze progress and determine appropriate feedback (page 10, lines 24-32, "A further important...their educational tasks"; page 20, lines 15-28, "Teachers and administrators ... for the teachers")

Regarding claim 14:

The rejection of claim 14 is similar to that for claim 10 as recited above since the stated limitations of the claim are set forth in the reference. Claim 14's limitations difference is taught in *Farley et al.*:

- logic that instantiates a component from the table of components to evaluate options and present appropriate feedback to assist the student to achieve the goal (column 28, lines 1-21, "In summary, the .. stored Challenger activity")

Regarding claim 15:

The rejection of claim 15 is similar to that for claim 10 as recited above since the stated limitations of the claim are set forth in the reference. Claim 15's limitations difference is taught in *Cook et al.*:

- logic that instantiates a component from the table of components to simulate a business application (page 12, lines 3-10, "An object of...computer-assisted instruction systems"; page 109, Table 3)

Farley et al.:

- logic that instantiates a component from the table of components to simulate a business application (column 10, lines 32-39, "The User Component ... solving business problems")

Regarding claim 17:

The rejection of claim 17 is similar to that for claim 10 as recited above since the stated limitations of the claim are set forth in the reference. Claim 17's limitations difference is taught in *Cook et al.*:

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- logic that instantiates a component from the table of components to interact with the student utilizing rule-based logic (page 46, lines 8-12, "during access to... caught and rejected")

Regarding claim 18:

The rejection of claim 18 is similar to that for claim 10 as recited above since the stated limitations of the claim are set forth in the reference. Claim 18's limitations difference is taught in *Cook et al*:

- logic that instantiates a component from the table of components to present a time based simulation (page 24, lines 7-25, "The corresponding event...the time elapsed"; page 63, lines 1-16, "the ABI system...of task scheduling"; page 109, Table 3; page 124, lines 2-12, "These named display...to generate displays")

Claims 7 and 16 are rejected under 35 U.S.C. 103(a) as being obvious over *Cook et al* in view of *Farley et al* and in further view of *Purcell* USPN 5,727,161 "Method and apparatus for graphic analysis of variation of economic plans" (March 10, 1998).

Regarding claim 7:

Cook et al teaches,

- (a) receiving information indicative of a goal (page 55, lines 16-34, "On-screen Agent area ... the current request"; page 56, Table 1B), the goal being associated with a student in a specific task (page 52, lines 18-37, "An important screen ... display to a student"; page 53, Table 1, Figs. 3-4)

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- (b) integrating information that motivates accomplishment of the goal for use in a presentation (page 8, lines 1-15, "it accepts data... appropriate candidate behaviors"; page 8, lines 33-37, "Another important object ... appear as living"; page 9, lines 1-4, "entities, which in ... guides its student")
- (d) evaluating progress toward the goal (page 10, lines 24-31, "A further important... student's pedagogic characteristics") and providing feedback that further motivates accomplishment of the goal (page 8, lines 1-15, "it accepts data... appropriate candidate behaviors")

However, *Cook et al* doesn't explicitly teach (c) managing information flow utilizing a table of components, wherein each component encapsulates behavior and data necessary to support a related set of services or instantiating a component from the table of components to interact with a quantitative analysis model to perform what-if analysis while *Farley et al* teaches,

- (c) managing information flow (column 25, lines 43-50) utilizing a table (column 29, lines 3-12) of components (column 5, lines 38-57), wherein each component encapsulates behavior and data necessary to support a related set of services (column 10, lines 9-31)

Purcell teaches,

- instantiating a component from the table of components to interact with a quantitative analysis model (column 33, lines 5-24, "FIG. 34 is an illustration ... easily and fully") to perform what-if analysis (Abstract, "Graphic analyses are ... to what-if possibilities"; Fig. 6)

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Motivation – The portions of the claimed computer-readable medium would have been a highly desirable feature in this art for supporting the learning, advisory and problem-solving needs of users having a variety of starting skills and learning styles (*Farley et al*, column 3, lines 33-50) and graphically developing and displaying what-if scenarios derived from spreadsheet plan-model data entered by a user (*Purcell*, column 2, lines 44-64, “Hence, it would ... thresholds of risks”). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made, to modify *Cook et al* as taught by *Farley et al* and *Purcell* for the purpose of supporting the learning, advisory and problem-solving needs of users as well as graphically developing and displaying what-if scenarios derived from spreadsheet plan-model data.

Regarding claim 16:

The rejection of claim 16 is similar to that for claims 10 and 7 as recited above since the stated limitations of the claim are set forth in the reference. Claim 16's limitations difference is taught in *Purcell*:

- logic that instantiates a component from the table of components to interact with a quantitative analysis model (column 33, lines 5-24, “FIG. 34 is an illustration ... easily and fully”) to perform what-if analysis (Abstract, “Graphic analyses are ... to what-if possibilities”; Fig. 6)

RESPONSE TO APPLICANTS' AMENDMENT REMARKS

Information Disclosure Statement (IDS)

The publication year of 2000 is noted on *Schreiner* "CAPTOR: A Model for Delivering Web-Based Intelligent Tutoring System Technology". *Schreiner* has been considered. A signed, initialed and dated PTO-1449 is being sent with this action.

Claims Objection

Claim 10 is objected to because of a minor informality: part (c)'s 'the goal for' would read well as 'a goal for'. Appropriate correction is required.

Claim Rejections - 35 USC § 103

Applicant argues that *Purcell* USPN 5,727,161 does not teach or even suggest claim 1's feature of managing information flow utilizing a table of components, wherein each component encapsulates behavior and data necessary to support a related set of services (Amendment REMARKS page 6, paragraph 1). Applicant's arguments have been fully considered, but are moot in view of the new grounds of rejection given above.

The examiner agrees that *Purcell* and *Cook et al* taken either individually or in combination do not disclose the apparatus and computer-readable media of the inventions defined in claims 1-18. However, *Farley et al* column 25, lines 43-50, column 29, lines 3-12, column 5, lines 38-57, column 10, lines 9-31) is cited individually and in combination with *Cook et al* for explicitly and inherently disclosing the subject matter set

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forth in the claims by the applicants: managing information flow utilizing a table of components, wherein each component encapsulates behavior and data necessary to support a related set of services. Further, the purpose and motivation for modifying *Cook et al* by and in combination with other references include supporting the learning, advisory and problem-solving needs of users having a variety of starting skills and learning styles (*Farley et al*, column 3, lines 33-50) as well as graphically developing and displaying what-if scenarios derived from spreadsheet plan-model data entered by a user (*Purcell*, column 2, lines 44-64).

Applicant argues that claim 10 as well as dependent claims 2-9 and 11-18 are patentable for at least the same reasons claim 1 is patentable. The examiner disagrees. Claim 10 is rejected for the same reason claim 1 is rejected, while claims 2-9 and 11-18 are further rejected for being dependent on rejected independent claims.

As set forth above with regards to *Cook et al*, *Farley et al* and *Purcell*, the items listed explicitly and inherently teach each element of the applicants' claimed limitations. Applicants have not set forth any distinction or offered any dispute between the claims of the subject application, *Cook et al*'s Agent Based Instruction System and Method, *Farley et al*'s Interactive, cross-referenced knowledge system and *Purcell*'s Method and apparatus for graphic analysis of variation of economic plans.

Conclusion

The prior art made of record is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the Office should be directed to Melvin Bell whose telephone number is 571-272-3680. This Examiner can normally be reached on Mon - Fri 7:30 am - 4:00 pm.

If attempts to reach this Examiner by telephone are unsuccessful, his supervisor, Anthony Knight, can be reached on 571-272-3687. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MB / *MB*
January 16, 2005

Anthony Knight
Anthony Knight
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